

**JOINT MEETING OF THE CMS INTERGOVERNMENTAL TASK FORCE ON  
ILLEGAL HUNTING, TAKING AND TRADE OF MIGRATORY BIRDS IN THE EAAF  
AND THE EAAF TASK FORCE ON ILLEGAL HUNTING, TAKING AND TRADE OF  
MIGRATORY WATERBIRDS**

*(Brisbane, Australia, 12 March 2023)*

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**MODUS OPERANDI OF THE INTERGOVERNMENTAL TASK FORCE TO ADDRESS  
ILLEGAL HUNTING, TAKING AND TRADE OF MIGRATORY BIRDS IN THE EAST ASIAN-  
AUSTRALASIAN FLYWAY**

*(Prepared by the CMS Secretariat)*

Summary:

As per the Terms of Reference of the Intergovernmental Task Force to Address Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway, adopted through CMS Resolution 11.16 (Rev.COP13) by the Conference of the Parties to CMS, the Task Force, once convened, shall develop a *modus operandi*.

This document presents a draft *modus operandi* for the Task Force for discussion and further development by the Task Force members.

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Background

1. In 2017, the 12th meeting of the Conference of the Parties to CMS adopted Resolution 11.16 (Rev.COP13) *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds*. The Resolution established an Intergovernmental Task Force to Address Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway, along with terms of reference<sup>1</sup>.
2. The Terms of Reference state that the Task Force will operate by seeking consensus as much as possible among the group and in accordance with a *modus operandi* which shall be developed once the Task Force is convened.
3. A draft of the *modus operandi* can be found in the annex of this document.
4. The first meeting of the Task Force is taking place on 12 March 2023 and will consider the *modus operandi*.

Recommended action:

5. The meeting is recommended to review and comment on the annexed draft, as appropriate, with a view to agree on a *modus operandi* for the Task Force.

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<sup>1</sup> See <https://www.cms.int/en/document/terms-reference-intergovernmental-task-force-address-illegal-hunting-taking-and-trade-0>

**ANNEX****DRAFT MODUS OPERANDI OF THE INTERGOVERNMENTAL TASK FORCE  
TO ADDRESS ILLEGAL HUNTING, TAKING AND TRADE OF MIGRATORY BIRDS IN THE  
EAST ASIAN-AUSTRALASIAN FLYWAY****Background**

1. The Task Force will operate in accordance with this *Modus Operandi*, as established in line with the mandate provided by Resolution 11.16 (Rev.COP12) *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds*, and Decision 12.30 - *Illegal Hunting, Taking and Trade of Migratory Birds in East Asian-Australasian Flyway*, adopted by the 12<sup>th</sup> Meeting of the Conference of the Parties to the Convention of Migratory Species (CMS), to assist the Parties to CMS and its associated instruments, relevant MEAs and Conventions to fulfill their obligations to protect migratory birds from illegal killing, taking, and trade in the East Asian-Australasian region.
2. The *Modus Operandi* is based on the Terms of Reference of the Intergovernmental Task Force to Address Illegal Hunting, Taking and Trade of Migratory Birds in the East Asian-Australasian Flyway (ITTEA, herein referred to as the Task Force), annexed to CMS Resolution 11.16 (Rev.COP12).<sup>2</sup> The *Modus Operandi* adds some additional details on the work of the Task Force.

**Governance**

3. The Chairperson shall preside at meetings of the Task Force, approve the provisional agenda prepared by the coordinator for circulation, and liaise with the members between meetings of the Task Force. The Chairperson may represent the Task Force as required within the limits of the Task Force mandate, and shall carry out such other functions as may be entrusted to him/her by the Task Force.
4. The Vice-Chairperson shall assist in the execution of the Chairperson's duties, and shall preside at meetings in the absence of the Chairperson.
5. The Task Force makes every effort to reach an agreement on all matters by consensus. If consensus cannot be reached, the issue will be subject to the Rules of Procedure of the CMS Conference of the Parties.
6. The Task Force reports to the CMS Conference of the Parties and the governing bodies of the other participating MEAs, as requested by them.

**Operation**

7. Secretarial support to the meetings of the Task Force is provided by the CMS Secretariat, and the coordinator of the Task Force, including the preparation of the meeting schedule and logistical arrangements, agenda and supporting documents circulation, recording of actions and minutes.

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<sup>2</sup> Also annexed to subsequent revisions of this Resolution including Resolution 11.16 (Rev.COP13).

8. Meetings of the Task Force convene at appropriate intervals, as considered necessary and funding permitting. Between meetings, business is conducted electronically through an online platform. At each meeting, a rapporteur is appointed with the main responsibility of drafting the report of the meeting. The minutes and presentations of Task Force meetings are published on the Task Force website to ensure transparency.

### **Consultative and Working Groups**

9. The Task Force establishes ad hoc consultative or working groups as may be necessary to deal with specific tasks. It defines the terms of reference and composition of each working group.
10. In so far as it is applicable, this *Modus Operandi* applies *mutatis mutandis* to the proceedings of consultative/working groups.
11. The Task Force members receive reports from consultative/working groups established under the Task Force as necessary.

### **Financing**

12. Members and observers of the Task Force, and other interested countries, organizations and institutions are encouraged to contribute financially to the operations of the Task Force, including the coordinator post, as well as to the implementation of identified priorities.

### **Final provisions**

13. This *Modus Operandi* is applied upon its approval by the members of the Task Force, and may be amended by the members, as required, in accordance with the provisions concerning decision making.